

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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RxUSA WHOLESALE, INC.,

Plaintiff,

- against -

**JUDGMENT**  
CV-06-3447(DRH)

ALCON LABORATORIES, INC., ASTRazeneca  
PHARMACEUTICALS LP, BOEHRINGER  
INGELHEIM CORPORATION(USA),  
BOEHRINGER INGELHEIM  
PHARMACEUTICALS, INC., BRISTOL-MEYERS  
SQUIBB COMPANY, INC., EISAI INC., FOREST  
PHARMACEUTICALS, INC., GLAXO SMITH  
KLINE, INC., KOS PHARMACEUTICALS, INC.,  
MERCK & CO., INC., NOVARTIS  
PHARMACEUTICALS CORPORATION,  
ORGANON USA, INC., ORGANON  
INTERNATIONAL INC., PFIZER, INC., SANOFI-  
AVENTIS PHARMACEUTICALS, INC.,  
SCHERING-PLOUGH CORPORATION, TAKEDA  
PHARMACEUTICALS NORTH AMERICA, INC.,  
WYETH PHARMACEUTICALS, McKESSON  
CORPORATION, CARDINAL HEALTH, INC.,  
AMERISOURCE BERGEN CORP., H.D.SMITH,  
INC., BELLCO DRUG CORP., HEALTHCARE  
DISTRIBUTION MANAGEMENT ASSOCIATION,  
BRIAN FERREIRA, PETER J. PASQUALE,  
H.D.SMITH WHOLESALE DRUG COMPANY,

Defendants.

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A Memorandum and Order of Honorable Denis R. Hurley, United States District Judge, having been filed on September 24, 2009, granting Defendants' motion to dismiss the Complaint in its entirety, and directing the Clerk of Court to close this case, it is

**ORDERED AND ADJUDGED** that Plaintiff take nothing of Defendants; that Defendants' motion to dismiss the Complaint is granted in its entirety; and that this case is hereby closed.

Dated: Central Islip, New York  
June 24, 2009

ROBERT C. HEINEMANN  
CLERK OF THE COURT

BY: /s/ CATHERINE VUKOVICH  
DEPUTY CLERK